

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAKIM CRISP,

Plaintiff,

v.

SERGEANT SNYDER and
SERGEANT ROSE,

Defendants.

Case Number 03-10136

Hon. David M. Lawson

Magistrate Judge Charles E. Binder

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DENYING PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE WHY
DEFENDANTS AND THEIR COUNSEL SHOULD NOT BE HELD IN CONTEMPT**

Presently before the Court is the report issued on October 20, 2005 by Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. § 636(b), recommending that this Court deny the plaintiff's motion for an order to show cause why the defendants and their counsel should not be held in contempt of court. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the motions. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 46] is **ADOPTED**.

It is further **ORDERED** that the plaintiff's motion for an order to show cause [dkt # 42] is

DENIED.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 23, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 23, 2007.

s/Felicia M. Moses
FELICIA M. MOSES